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IN THE

Supreme Court of the United States

October Term, 1960

No. 571

FRANK L. COLLIER,

Petitioner,

—against—

UNITED STATES OF AMERICA,

Respondent.

PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

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32 CASE PRESS INC., 82 Beekman St., N. Y.—BEekman 3-2905

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II. The Court of Appeals for the Fourth Circuit in affirming the instant judgment of conviction, and the United States District Court for the Eastern District of Virginia, in letting the instant case go to the jury, applied a standard of obscenity in conflict with that which this	

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Court prescribed in *Roth* v. *United States*, 354 U. S. 476 (1957), and *Sunshine Book Company* v. *Summerfield*, 355 U. S. 372 (1958) 9

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PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

The petitioner, Frank L. Collier, prays that a writ of certiorari be issued to review the judgment of the United States Court of Appeals for the Fourth Circuit entered in the above-entitled cause on November 8, 1960.

Opinions Below

The opinion of the United States Court of Appeals for the Fourth Circuit (reproduced in Appendix I) is not yet reported. The opinion of the United States District Court for the Eastern District of Virginia, Norfolk Division on the motion to dismiss (reproduced in Appenidx II) is reported at 183 F. Supp. 47.